

115TH CONGRESS  
2D SESSION

**S.** \_\_\_\_\_

To amend title XVIII of the Social Security Act to provide for treatment of audiologists as physicians for purposes of furnishing audiology services under the Medicare program, to improve access to the audiology services available for coverage under the Medicare program and to enable beneficiaries to have their choice of a qualified audiologist to provide such services, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

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Ms. WARREN (for herself and Mr. PAUL) introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

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1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Audiology Patient  
3 Choice Act of 2018”.

4 **SEC. 2. FINDINGS.**

5 Congress finds the following:

6 (1) Hearing loss is the third most common  
7 chronic physical condition for Americans over 65,  
8 behind only arthritis and high blood pressure.

9 (2) Individuals with mild hearing loss are three  
10 times more likely to experience a fall and falls are  
11 the leading cause of injury and deaths from injury  
12 for Americans over 65.

13 (3) Untreated hearing and balance problems  
14 contribute to and are highly correlated with depres-  
15 sion and social isolation.

16 (4) Seniors with hearing loss run a much higher  
17 risk of cognitive problems and experience cognitive  
18 decline up to 40 percent faster than those with nor-  
19 mal hearing.

20 (5) Medicare beneficiaries should have access to  
21 the same level of audiologic care as is available in  
22 the Veterans’ Administration, under the Federal  
23 Employees Health Benefits Program, and under pri-  
24 vate insurance.

25 (6) The Medicare program needs to be updated  
26 in a comprehensive way so Medicare beneficiaries

1 are able to have access to all of the advancements  
2 in the delivery of audiology care.

3 **SEC. 3. IMPROVED MEDICARE COVERAGE OF AUDIOLOGY**  
4 **SERVICES.**

5 (a) TREATMENT OF AUDIOLOGISTS AS PHYSICIANS  
6 FOR PURPOSES OF FURNISHING AUDIOLOGY SERVICES.—

7 The first sentence of section 1861(r) of the Social Security  
8 Act (42 U.S.C. 1395x(r)) is amended—

9 (1) by striking “or” before “(5)”; and

10 (2) by inserting before the period the following:

11 “, or (6) a qualified audiologist, but only with re-  
12 spect to the furnishing of audiology services de-  
13 scribed in subsection (l)(3) for which the qualified  
14 audiologist is legally authorized to perform by the  
15 State and who is acting within the scope of the audi-  
16 ologist’s license (or other authorization under State  
17 law)”.

18 (b) IMPROVED ACCESS TO AUDIOLOGY SERVICES  
19 AVAILABLE FOR COVERAGE UNDER THE MEDICARE PRO-  
20 GRAM AND ENABLING MEDICARE BENEFICIARIES TO  
21 HAVE THEIR CHOICE OF QUALIFIED AUDIOLOGIST.—

22 Section 1861(l)(3) of the Social Security Act (42 U.S.C.  
23 1395x(l)(3)) is amended—

24 (1) by striking “hearing and balance assess-  
25 ment”;

1           (2) by striking “, as would otherwise be covered  
2 if furnished by a physician”; and

3           (3) by inserting before the period at the end the  
4 following: “, without regard to any requirement that  
5 the individual receiving the audiology services be  
6 under the care of (or referred by) a physician or  
7 other health care practitioner or that such services  
8 are provided under the supervision of a physician or  
9 other health care practitioner”.

10       (c) EFFECTIVE DATE.—The amendments made by  
11 this section shall apply to items and services furnished on  
12 or after January 1 of the first year beginning more than  
13 6 months after the date of the enactment of this Act.